

Attorney's Docket No.:42390P12242

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lance E. Hacking, et al.

Application No.: 09/911,554

Filed: July 23, 2001

For: A SYSTEM AND A METHOD OF SORTING  
PERFORMANCE DATA FROM ONE OR  
MORE SYSTEM CONFIGURATIONS

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231



RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date  
Granted) mailed August 31, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to  
the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of  
37 C.F.R. § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application.

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service  
as first class mail with sufficient postage in an envelope addressed to the Commissioner for  
Patents, Washington, D.C. 20231

on October 12, 2001  
Date of Deposit

Signature

Carla Zavala  
Name of Person Mailing Correspondence

Date

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

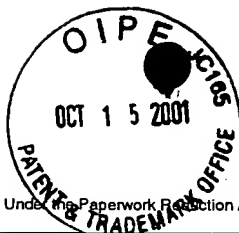
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 10/12/2001

Archana B. Vittal  
Archana B. Vittal  
Attorney for Applicant  
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Los Angeles, CA 90025-1026  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17(09/00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known:

Application No. 09/911,554

Filing Date July 23, 2001

First Named Inventor Lance E. Hacking, et al.

Group Art Unit 2152

Examiner Name Unassigned

Attorney Docket No. 42390P12242

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name \_\_\_\_\_

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
Money Order  
Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ \_\_\_\_\_

#### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

### FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for Inter partes reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 130.00**

\*Reduced by Basic Filing Fee Paid

#### SUBMITTED BY:

Typed or Printed Name: Archana B. Vittal

Signature: *Archana B. Vittal* Date: 10/12/2001

Reg. Number: 45,182 Telephone Number: (408) 720-8300



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/911,554	07/23/2001	Lance E. Hacking	42390P12242

CONFIRMATION NO. 4419

FORMALITIES LETTER



\*OC00000006501141\*

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Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

Date Mailed: 08/31/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/17/2001 HTECKLU1 00000024 09911554

01 FC:105

130.00 OP